

106TH CONGRESS
2D SESSION

H. R. 4652

To amend the Federal Food, Drug, and Cosmetic Act to prohibit products that contain dry ultra-filtered milk products or casein from being labeled as domestic natural cheese, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2000

Ms. BALDWIN (for herself, Mr. McHUGH, Mr. OBEY, Mr. COOKSEY, Mr. KIND, Mr. BOEHLERT, Mr. HILLIARD, Mr. SWEENEY, Mr. BOUCHER, Mrs. THURMAN, Mr. SHERWOOD, Mr. WALSH, Mrs. ROUKEMA, and Mr. SMITH of Michigan) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to prohibit products that contain dry ultra-filtered milk products or casein from being labeled as domestic natural cheese, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Quality Cheese Act
5 of 2000”.

6 **SEC. 2. NATURAL CHEESE STANDARD.**

7 (a) FINDINGS.—Congress finds that—

1 (1)(A) any change in domestic natural cheese
2 standards to allow dry ultra-filtered milk products or
3 casein to be labeled as domestic natural cheese
4 would result in increased costs to the dairy price
5 support program; and

6 (B) that change would be unfair to taxpayers,
7 who would be forced to pay more program costs;

8 (2) any change in domestic natural cheese
9 standards to allow dry ultra-filtered milk products or
10 casein to be labeled as domestic natural cheese
11 would result in lower revenues for dairy farmers;

12 (3) any change in domestic natural cheese
13 standards to allow dry ultra-filtered milk products or
14 casein to be labeled as domestic natural cheese
15 would cause dairy products containing dry ultra-fil-
16 tered milk or casein to become vulnerable to con-
17 tamination and would compromise the sanitation,
18 hydrosanitary, and phytosanitary standards of the
19 United States dairy industry; and

20 (4) changing the labeling standard for domestic
21 natural cheese would be misleading to the consumer.

22 (b) PROHIBITION.—Section 401 of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 341) is amended—

24 (1) by striking “Whenever” and inserting “(a)
25 Whenever”; and

1 (2) by adding at the end the following:

2 “(b)(1) The Commissioner may not use any Federal
3 funds to amend section 133.3 of title 21, Code of Federal
4 Regulations (or any corresponding similar regulation or
5 ruling), to include dry ultra-filtered milk or casein in the
6 definition of the term ‘milk’ or ‘nonfat milk’, as specified
7 in the standards of identity for cheese and cheese products
8 published at part 133 of title 21, Code of Federal Regula-
9 tions (or any corresponding similar regulation or ruling).

10 “(2)(A) The Commissioner may not amend such sec-
11 tion 133.3 (or any corresponding similar regulation or rul-
12 ing) to include wet ultra-filtered milk in the definition de-
13 scribed in paragraph (1), until 60 days after the Commis-
14 sioner, in conjunction with the Secretary of Agriculture,
15 submits the report described in subparagraph (B).

16 “(B) The Commissioner, in conjunction with the Sec-
17 retary of Agriculture shall conduct a study on the manner
18 in which the use of wet ultra-filtered milk impacts dairy
19 farmers, and submit a report containing the results of the
20 study to the appropriate committees of Congress.”.

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